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E-FILED May 24, 2010

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19 *Attorneys for Creditor Credit Suisse AG, Cayman Islands Branch*

20 **UNITED STATES BANKRUPTCY COURT**
 21 **DISTRICT OF NEVADA**

22 In re:

23 THE RHODES COMPANIES, LLC, aka
 24 "Rhodes Homes," et al.¹

25 Debtors.

26 Case No. BK-S-09-14814-LBR
 27 (Jointly Administered)

28 Chapter 11

**NOTICE OF HEARING ON MOTION TO
 29 COMPEL REIMBURSEMENT OF FEES
 30 AND EXPENSES PURSUANT TO
 31 CONFIRMATION ORDER AND CASH
 32 COLLATERAL ORDER**

33 Affects:
 34 All Debtors
 35 The following Debtor(s)

Date: June 21, 2010

Time: 9:30 a.m.

Judge: Honorable Linda B. Riegle

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1 **NOTICE OF HEARING ON MOTION TO COMPEL REIMBURSEMENT OF FEES**
2 **AND EXPENSES PURSUANT TO CONFIRMATION ORDER AND CASH**
3 **COLLATERAL ORDER**

4 NOTICE IS HEREBY GIVEN that Credit Suisse AG, Cayman Islands Branch (“Credit
5 Suisse”), formerly known as “Credit Suisse, Cayman Islands Branch,” as agent under the first
6 lien Credit Agreement Dated as of November 21, 2005, among Heritage Land Company, LLC,
7 The Rhodes Companies, LLC, and Rhodes Ranch General Partnership, as the Borrowers, the
8 Lenders Listed [Th]erein, as the Lenders, and Credit Suisse, Cayman Islands Branch, as
9 Administrative Agent, Collateral Agent, Syndication Agent, Sole Bookrunner and Sole Lead
10 Arranger (as amended, restated, amended and restated, supplemented, or otherwise modified
11 from time to time, the “First Lien Credit Agreement,” and the lenders thereunder, the “First
12 Lien Lenders”),’s, Motion To Compel Reimbursement Of Fees And Expenses Pursuant To
13 Confirmation Order And Cash Collateral Order [**Doc. 1143**] (the “Motion”) was filed on May
14 24, 2010, by the law firm of Sylvester & Polednak, Ltd. The Motion seeks to direct the
15 Reorganized Debtors to reimburse to Credit Suisse, pursuant to the Proposed Findings of Fact,
16 Conclusions of Law, and Order Confirming the First Lien Steering Committee’s Third
17 Amended Modified Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code for
18 the Rhodes Companies, LLC, et al. [Docket No. 1053] and the Final Stipulated Order (I)
19 Authorizing Use of Cash Collateral Pursuant to Sections 105, 361, 362 and 363 of the
20 Bankruptcy Code and (II) Granting Adequate Protection and Super Priority Administrative
21 Expense Priority to Prepetition Secured Lenders Re Debtors’ Motion for Interim and Final
22 Orders Pursuant to Sections 105, 361, 362, 363 and 364 of Debtors’ Motion for Interim and
23 Final Orders Pursuant to Sections 105, 361, 362, 363 and 364 of the Bankruptcy Code (A)
24 Authorizing Debtors to Use Cash Collateral, (B) Granting Adequate Protection to the Debtors’
25 Prepetition Secured Parties and (C) Scheduling a Final Hearing; Memorandum of Points and
26 Authorities Filed by Zacariah Larson on Behalf of Heritage Land Company, LLC [Relates to
27 Heritage Docket No. 35] [Docket No. 126], certain fees and expenses incurred by Credit Suisse
28 and its professionals.

///

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1 A copy of the above-referenced Motion was filed with the Clerk of the U.S. Bankruptcy
2 Court for the District of Nevada and is available upon request from the undersigned attorney or
3 can be accessed on PACER at (<http://ecf.nvb.uscourts.gov>).

4 Any Opposition to the Motion must be filed and served pursuant to Local Rule
5 9014(d)(1), which provides as follows:

6 Except for those motions governed by Local Rule 9014(d)(3) and 9014 (d)(4),
7 any opposition to a motion must be filed, and service of the opposition must be
8 completed upon the movant no later than fourteen (14) days preceding the
9 hearing date for the motion. The opposition must set forth all relevant facts and
any relevant legal authority. An opposition must be supported by affidavits or
declarations that confirm to the provisions of Local Rule 9014(c).

10 If an objection is not timely filed and served, the relief requested may be granted
11 without a hearing. LR 9014(b)(1)(D) and LR 9014(d)(1).

12 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading
13 with the court. You must also serve your written response on the person who sent you this
notice.

14 If you do not file a written response with the court, or if you do not serve your written
15 response on the person who sent you this notice, then:

- 16 (a) The court may *refuse to allow you to speak* at the scheduled hearing; and
- 17 (b) The court may *rule against you* without formally calling the matter at the
hearing.

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1 NOTICE IS FURTHER GIVEN that a hearing on said Motion will be held before the
2 Honorable United States Bankruptcy Judge Linda B. Riegle, in the Foley Federal Building, 300
3 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada 89101, on the 21st day of June,
4 2010, at the hour of 9:30 a.m.

5 DATED this 24th day of May, 2010.
6

7 By: _____
8

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19 Attorneys for Creditor Credit Suisse, Cayman Islands Branch
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